



PUBLIC NOTICE

Federal Communications Commission
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News Media Information: 202-418-0500
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NEW PROCEDURES FOR TELECOMMUNICATIONS AND ADVANCED COMMUNICATIONS ACCESSIBILITY COMPLAINTS

October 8, 2013 marked the third anniversary of the Twenty-First Century Communications and Video Accessibility Act (CVAA), signed into law by President Obama in 2010. The stated purpose of the CVAA is “to update the communications laws to help ensure that individuals with disabilities are able to fully utilize communications services and equipment and better access video programming.”¹ Over the past three years, the Federal Communications Commission (FCC) has worked steadily to fulfill each of the CVAA’s rulemaking requirements in a timely fashion.²

October 8, 2013 also marked the compliance date for two significant CVAA mandates: (1) the requirement for advanced communications service providers and manufacturers to ensure that their services³ and equipment⁴ are accessible to and usable by individuals with disabilities, if achievable; and (2) the requirement for Internet browsers built into mobile phones to be accessible to and usable by individuals who are blind or visually impaired.⁵

In compliance with the CVAA and in conjunction with the new accessibility requirements described above, the FCC is implementing new procedures for the handling of informal complaints related to the accessibility and usability of the following:

- advanced communications services and equipment;
- Internet browsers built into mobile phones; and
- telecommunications services and equipment (such as telephones).⁶

¹ S. Rep. No. 111-386 at 1 (2010) (Senate Report); H.R. Rep. No. 111-563 at 19 (2010) (House Report).

² To learn more about these rulemaking proceedings, please visit <http://www.fcc.gov/encyclopedia/twenty-first-century-communications-and-video-accessibility-act-0>.

³ Advanced communications services include the following: interconnected voice over Internet protocol (VoIP) service; non-interconnected VoIP service; electronic messaging service (such as text messaging, e-mail, and instant messaging); and interoperable video conferencing service.

⁴ Equipment used for advanced communications services include cellphones, smartphones, personal computers, laptops, and tablets.

⁵ These requirements apply to advanced communications services and equipment and Internet browsers built into mobile phones that are introduced into the marketplace or substantially upgraded on or after October 8, 2013. For more information about these accessibility requirements, visit <http://www.fcc.gov/encyclopedia/advanced-communications-services-acs>.

⁶ For more information about accessibility requirements for telecommunications services and equipment, visit <http://www.fcc.gov/encyclopedia/section-255-disability-rights-office>. Although the CVAA did not establish new accessibility obligations for telecommunications service providers and manufacturers, it directed the FCC to

An overview of the new complaint procedures is available on the FCC's website at <http://www.fcc.gov/accessibility-complaints-255-716-718-action-options>.⁷ Under the new complaint procedures, a consumer may choose to contact the company directly to try and resolve his or her accessibility problem. Consumers can find contact information for a company's accessibility customer care representative on the FCC's website at <http://apps.fcc.gov/rccci-search/>, by sending an e-mail to dro@fcc.gov, or by calling 202-418-2517 (voice) or 202-418-2922 (TTY).

If a consumer prefers contacting the FCC instead of or after contacting the company about a concern, he or she must first request assistance from the FCC Disability Rights Office to resolve the accessibility problem – *before* filing an informal complaint against the company. Consumers may request this assistance by completing and submitting a Request for Dispute Assistance online at <https://esupport.fcc.gov/cemsforms/RDAformEnglish>.

A PDF version of the Request for Dispute Assistance form may also be downloaded and printed from <http://www.fcc.gov/cgb/consumerfacts/FormRDA.pdf>. The completed PDF version of the Request for Dispute Assistance form may be submitted to the Disability Rights Office by e-mail to dro@fcc.gov, by fax to 202-418-0037, or by mail.⁸ If a consumer is unable to obtain or use the online or PDF version of the Request for Dispute Assistance form, the consumer may submit a request containing the consumer's contact information⁹ and information about the accessibility problem by e-mail, letter, or by calling 202-418-2517 (voice) or 202-418-2922 (TTY).

When a Request for Dispute Assistance is filed, the consumer will receive a confirmation notice that includes a Request for Dispute Assistance case number. The Disability Rights Office will then work with the consumer and the company for at least 30 days to resolve the accessibility problem. There is no charge for this assistance.

establish new procedures for the handling of complaints about the accessibility and usability of telecommunications services and equipment by individuals with disabilities.

⁷ This information is also available through the FCC complaints system at <http://www.fcc.gov/complaints> by selecting "Access by People with Disabilities." By using the FCC complaints system or by going to <http://www.fcc.gov/accessibility-complaints-more>, consumers can learn more about the FCC's accessibility requirements for communications and video programming services and equipment. When consumers select the category of services or equipment about which they have an accessibility problem at <http://www.fcc.gov/accessibility-complaints-categories>, they are connected to the information they need to file a complaint. For example, consumers who wish to file a complaint about accessibility problems related to hearing aid compatibility for telephones, telecommunications relay services (TRS), access to emergency information on television, closed captioning, or video description will be directed to information about filing a Disability Access Complaint (Form 2000C). Procedures for filing those types of complaints have not changed. Filing complaints about the accessibility and usability of advanced communications services and equipment, Internet browsers built into mobile phones, and telecommunications services and equipment must follow the new procedures described in this *Public Notice*.

⁸ Requests for Dispute Assistance that are sent by mail should go to the following address: Federal Communications Commission, Consumer & Governmental Affairs Bureau, Disability Rights Office, 445 12th Street, SW, Washington, DC 20554.

⁹ Information about possible noncompliance with accessibility requirements also may be provided to the FCC anonymously by e-mail to CVAATips@fcc.gov, or by calling 202-418-0031 (voice) or 202-418-0033 (TTY).

If the accessibility problem is not resolved in 30 days, the consumer has two choices:

- (1) request an additional 30 days of assistance from the Disability Rights Office to continue to try to resolve the accessibility problem (additional requests beyond this time may also be made for 30-day increments); or
- (2) file a Communications Accessibility Informal Complaint about the accessibility problem with the FCC's Enforcement Bureau.

To request an additional 30 days or to file an informal complaint, consumers may contact the Disability Rights Office at 202-418-2517 (voice) or 202-418-2922 (TTY), by e-mail to dro@fcc.gov, by fax to 202-418-0037, or by mail.¹⁰ Consumers will need to provide their last name, zip code, and their Request for Dispute Assistance case number. If the consumer takes no action for 60 days after the 30-day time period ends, the case will be closed.

Accessible Formats. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY). This *Public Notice* can also be downloaded in Word and Portable Document Format at <http://www.fcc.gov/encyclopedia/advanced-communications-services-acs>.

Additional Information. For additional information, please contact Rosaline Crawford at 202-418-2075, or e-mail rosaline.crawford@fcc.gov; Eliot Greenwald at 202-418-2235, or e-mail eliot.greenwald@fcc.gov; or Susan Kimmel at 202-418-1679, or e-mail susan.kimmel@fcc.gov, of the Consumer and Governmental Affairs Bureau, Disability Rights Office.

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¹⁰ Requests for 30 additional days of dispute assistance and Communications Accessibility Informal Complaints should be mailed to the following address: Federal Communications Commission, Consumer & Governmental Affairs Bureau, Disability Rights Office, 445 12th Street, SW, Washington, DC 20554. The Commission also is working on providing a means for consumers to make this request and file an informal complaint online.